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27 July

MEMORANDUM FOR: Deputy Director (Support)

SUBJECT : Request for Relief under Agency Regulation [REDACTED] paragraph 9a. "Special Authorizations--General Expenditure."

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REFERENCE : Memo dated 4 February 1954 re Travel of Dependents--
[REDACTED] Staff Employee, EE Division, DD/P.

1. Referenced memorandum sets forth in complete and chronological fashion the basis of the appeal by subject for reimbursement of round trip travel expenses between [REDACTED] for travel of his dependents in June-July 1953. The facts and history of the case are rather involved and, for sake of brevity, are not herein repeated.

2. At the request of the Chief of Base, [REDACTED], the case was referred to the Inspector General on 2 September 1954, for consideration of a recommendation to DCI for relief under his discretionary powers. Previous requests for relief through DD/P-Admin had been denied (See attachment C). The case was reviewed by this staff and by memorandum of 11 September 1954 (See attachment A), EE Division was informed that the Inspector General failed to find sufficient justification to substantiate an appeal to DCI for relief.

3. From a point of view of legality and administrative logic, the decision to date of all administrative echelons and the 11 September 1954 opinion of this staff are beyond question. In retrospect, however, the question presents itself, in light of the conditions under which a very few of our operational personnel find themselves, as to how rigid we must be in applying conventional administrative standards to such personnel. In recognition of the uniqueness of our responsibilities the Congress has seen fit to equip us with extraordinary monetary authorities. The perplexing administrative problem which we must solve for ourselves is the establishment of standards which justify the exercise of these extraordinary authorities.

4. In the instant case, the employee declined the right to take his home leave, and, therefore, in the eyes of the applicable statutes, removed the legal basis for the travel of his dependents to the United States at government expense. Yet, his declination of this right was not capricious or selfish, but appears to be based on a high degree of motivation to pursue his operational responsibilities. The travel of the dependents to the United States was necessitated by a legitimate family emergency, and could have been accomplished at government expense had the employee taken home leave. As it is, it has cost the employee \$1,432.20.

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5. There are valid reasons for denying this claim as stated in my memorandum of 11 September 1954. Are there, however, equally valid reasons for rendering reimbursement? Regulation [REDACTED] paragraph 9a, says in part:

"The term 'unusual functions' as used herein is intended to differentiate the extraordinary problems of this Agency from the normal administrative or operating problems confronting the ordinary government agency."

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The "ordinary" government agency does not have civilian personnel in [REDACTED] although obviously the Department of State and the Defense agencies do. The possibility of evacuating our personnel from [REDACTED] following the unannounced commencement of hostilities is absolutely minimal. This Agency, therefore, has an "operating problem" which does not confront the "ordinary government agency," namely, the most hostile interrogation possible of our personnel by opposing forces is a foregone conclusion. Because of [REDACTED], Agency personnel realize their precarious position and additionally realize the possibilities of [REDACTED] actions against dependents of intelligence personnel.

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6. It is not Agency policy to award additional compensation for duties performed under such conditions. It would appear in order, however, for the Agency to extend itself to the utmost and exhaust its discretionary powers to assist personnel so located when there exists a legitimate personal emergency. It is upon this basis that the attached claim is forwarded for your review and any action that can be accomplished to give complete or partial relief to the claimant.

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[REDACTED]
Lyman B. Kirkpatrick
Inspector General

Attachments A-F

MISSING PAGE

ORIGINAL DOCUMENT MISSING PAGE(S):

Attachment A-F